



461467

May 11, 2000

Regulatory Branch
File Number: 199610991

Ms. Heather Young
Chemetco, Inc.
P.O. Box 67
3576 Chemetco Lane
Hartford, Illinois 62060-0200

Dear Mr. Young:

This letter is in reference to your application, dated April 6, 2000, concerning the Zinc oxide remediation project, adjacent to Long Lake, at the Chemetco facility in Hartford, Illinois. This project was previously authorized by a verification letter from our office on September 21, 1996, with special conditions, but at this time requires re-authorization. The previous permit authorization required that the site be fully restored, and that a restoration plan be submitted prior to the restoration activities. In the March 1997 restoration plan, and in a later correspondence dated September 8, 1997, Chemetco proposed to alter the terms of the site restoration and permit conditions. This issue was discussed during an on-site meeting on May 10, 2000. Full restoration of the site is still required.

The Corps of Engineers has determined that this activity will have no affect on endangered species, and that this activity is authorized under Section 404 of the Clean Water Act by existing Department of the Army nationwide permit as described in the "December 13, 1996, Federal Register, Final Notice of Issuance, Reissuance, and Modification of Nationwide Permit (61 FR 65874)" Appendix A (B) (38). Enclosed is a copy of the nationwide permit and conditions and management practices (marked in red) with which you must comply.

In accordance with General Condition number 14 of the Nationwide Permit, a compliance certification (Attachment A of this package) must be completed within 30 days of project completion or the permit issuance will be revoked and considered null and void.

File as:
U.S. Army Corps
Engineers Permit

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CO-Final file

The Illinois Environmental Protection Agency has denied water quality certification for this activity. You must furnish us a copy of an individual water quality certification or generic 401 certification or a copy of the application to the state for the certification. If the IEPA fails to act within a reasonable period of time (60 days from the date of this letter), a waiver will be presumed. Upon receipt of water quality certification, the proposed work is authorized. If the water quality certification is conditioned by the state, these conditions will become part of the Corps permit.

The District Engineer had conditioned this permit to include the following:

- a. Any excess material associated with this project will not be discharged into wetlands, or other waters of the United States, but will be removed to an upland site.
- b. All areas affected by construction shall be mulched and seeded as soon after construction as possible. The applicant shall undertake measures to reduce erosion during construction. Interim measures to prevent erosion during construction shall be taken and may include the use of silt fences, staked straw bales, and temporary mulching.
- c. All impacted areas, including but not limited to, Long Lake, unnamed tributaries, and all bermed sites, shall be returned to their pre-spill and pre-project contours and conditions.
- d. A current restoration plan shall be submitted to this office within six months from the date of this letter, and site restoration must be completed within two years from the date of this letter. The restoration shall not be initiated until the restoration plan has been approved by the St. Louis District Regulatory Branch.

This determination is applicable only to the permit program administered by the Corps of Engineers. It does not eliminate the need to obtain other Federal, state or local approvals before beginning work.

You are reminded that the permit is based on submitted plans. Variations from these plans shall constitute a violation of Federal law and may result in the revocation of the permit. This verification is valid for two years from the date of this letter. If this nationwide permit is modified, reissued, or revoked during this period, the provisions described at 33 CFR 330.6 (b) will apply.

If you have any questions, concerning this matter, you may contact me at (314) 331-8186.

Sincerely,

G. WARD LENZ

Ward Lenz
Project Manager
Regulatory Branch

Enclosure

Copy Furnished: (w/o enclosure)

Mr. Scott D. Harding
SCI Engineering, Inc.
1602 Jeffco Boulevard
Arnold, Missouri 63010

Mr. Dave Schulenburg
U.S. Environmental Protection Agency
Wetland Watersheds Section WW-16J
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

Mr. Andrew Doyle
U.S. Department of Justice
Environmental Defense Section
P.O. Box 23986
Washington, D.C. 20026-3986

Ms. Joyce Collins
U.S. Department of the Interior
Fish and Wildlife Service
Rural Route 3, Box 328
Marion, Illinois 62959-9579

Mr. James Allison
Illinois Environmental Protection Agency
Bureau of Water
Watershed Management Section
1020 North Grand Avenue East
Springfield, Illinois 62794-9276

Mr. Robert Dalton
Illinois Department of Natural Resources
Office of Water Resources
524 South Second Street
Springfield, Illinois 62701-1787

Mr. Robert Schanzle
Illinois Department of Natural Resources
524 South Second Street
Springfield, Illinois 62701-1787